

# The Gazette of India



PUBLISHED BY AUTHORITY

No. 33] NEW DELHI, SATURDAY, AUGUST 13, 1955

## PART II—Section 4

### Statutory Rules and Orders issued by the Ministry of Defence

#### MINISTRY OF DEFENCE

*New Delhi, the 13th August 1955*

**S.R.O. 306.**—In exercise of the powers conferred by section 191 read with section 162 of the Army Act, 1950 (XLVI of 1950), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Defence, No. 1583, dated the 17th September, 1949.

P. D. SRIVASTAVA, Under Secy.

**S.R.O. 307.**—In exercise of the powers conferred by sub-section (2) of section 16 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to fix the 13th November, 1955, as the date on which casual election of Cantonment Board, Barrackpore, shall be held.

[No. 29/37/G/L&C/54/D(C&L)].

**S.R.O. 308.**—The following byelaws for the regulation or prohibition of the cutting or destruction of trees or shrubs, the making of excavations, the removal of soil or quarrying made by the Cantonment Board, Shahjahanpur, in exercise of the powers conferred by clause (36) of section 282 and section 283 of the Cantonments Act (II of 1924), are published for general information the same having been previously published, approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely—

1. (1) No person shall without the sanction in writing of the Cantonment Board, cut or destroy or cause to be cut or destroyed any tree or shrub standing on any land within the Shahjahanpur Cantonment other than the land vested in local military and Ordnance Clothing Factory authorities provided that no such permission shall be granted by the Board in respect of land which is not under the management of the Board.

Provided further that nothing therein contained shall apply to any of the following operations carried out in private estates:—

- (a) bonafide pruning, trimming or otherwise altering shrubs or fruit trees for horticultural purposes only, and
- (b) other petty acts such as the cutting of twigs, digging ferns and the like from which no material harm of any kind to person or property is likely to result.

Provided also that nothing herein contained shall affect the exercise of any legal or customary right by the holder or such right on whom lies the onus of proving the existence of any such right.

- (2) Such sanction as aforesaid may be refused altogether or may be accorded subject to such conditions if any as the Board may think fit to impose in this behalf and which shall be clearly specified in such sanction.

2. (1) No person shall without the sanction in writing of the Cantonment Board, on any land other than the land vested in the local military and Ordnance Clothing Factory Authorities within Cantonment limits make excavations, remove soil, or quarry stone or gravel or deposit earth, sand, gravel or stones thereon.

Provided that no such sanction shall be granted by the Board in respect of land which is not under the management of the Board.

Provided further that nothing herein contained shall apply to digging or other petty excavations or removal of soil in the ordinary process of gardening on lands already cultivated in private estates.

Provided also that nothing herein contained shall affect the exercise of any legal or customary right by the holder of such right on whom lies the onus of proving the existence of such right.

- (2) Such sanction as aforesaid may be refused altogether or may be accorded subject to such rule as may be framed by the Cantonment Board, from time to time in this behalf and further subject to such conditions if any as the Cantonment Board may, think fit to impose with respect to the spot allotted for the purpose of making excavations or for quarrying the quantity of earth to be excavated or removed, or the quantity of stone or gravel to be quarried, the fixation of a time-limit within which such excavation, removal or quarrying as the case may be, shall be done; and other matters affecting the public safety or convenience. Any such conditions shall be clearly specified in such sanction.

3. Any contravention of the provisions of any of these byelaws, shall on conviction by a Magistrate, be punishable with fine which may extend to one hundred rupees and in the case of a continuing breach, with an additional fine which may extend to twenty rupees for every day during which such breach continues after the conviction for the such breach.

**S.R.O. 309.**—The following byelaws for the regulation or prohibition of traffic in the Banaras Cantonment made by the Cantonment Board Banaras, in exercise of the powers conferred by clause (4) of section 282 and section 283 of the Cantonments Act, 1924 (II of 1924), are published for general information, the same having been previously published, approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

#### **BYELAWS FOR THE REGULATION OR PROHIBITION OF TRAFFIC IN THE BANARAS CANTT**

1. No person under eighteen years of age shall drive a motor vehicle and no person under fifteen years of age shall drive a vehicle of any description whether drawn by an animal or propelled by mechanical power.

2. No person shall ride an animal or drive a vehicle on any street in a rash and negligent manner.

3. The maximum speed limits for motor vehicles within the Cantonment limits where otherwise unrestricted by speed limit boards, shall be as follows:—

(1) (a) For trucks and lorries; 20 miles per hour.

(b) For other motor vehicles; 30 miles per hour.

3(2) Inside civil area and minor Bazar for both (1)-(a) & (b): 15 miles per hour.

4. No person shall drive or propel any vehicle on any street under the control of Cantt. Board on which a notice prohibiting vehicular traffic is displayed.

5. No person shall leave an animal or a vehicle on a street without making arrangement for its being under proper control.

6. No person shall:—

(1) cause any vehicle with or without animal harnessed thereto to remain or stand so as to cause obstruction in any street longer than may be necessary for loading or unloading, or for taking up or setting down passengers; or

(2) leave or fasten any vehicle or animal so as to cause obstruction in any street;

(3) In any other manner willfully obstruct or cause obstruction to the free passage of any path.

7. Any of the following classes of traffic may be prohibited wholly or during such hours as may be notified by the Cantonment Board on any street within Cantonment limits:—

- (1) trucks and motor lorries and taxis
- (2) country carts,
- (3) laden animals, and
- (4) hand carts.

Provided that nothing in the bye-laws shall apply to any vehicle while it is actually crossing or proceeding to a bungalow, house or shop which cannot be reached by any other roads.

8. No person driving a vehicle on a street shall, unless there be reasonable cause for so doing, stop his vehicle at any place except close to the edge of the part of such street as is intended for vehicular traffic.

9. No person shall take a cart loaded with bricks, kanker, earth, stones, metal or other loose materials along any street unless the cart is in order that the contents may not fall on the ground, is protected by the Boards on all its sides. Similar precautions shall also be taken in respect of the loads of pack animals.

10. Every rider or driver of a motor vehicle, traction engine or steam roller shall, when approaching a horse or other animal (whether led, driven, ridden or at large) which appears to be restive or frightened thereby, proceed with special caution and shall, at once if required to do so by the person, if any, in charge of such horse or animal, slow down or stop the vehicle or engine altogether.

11. (1) No person shall ride a bicycle within Cantonment limits unless it is provided with a bell, proper brakes and white paint mudguards or reflection (Ruby light) on the rear mud-guards.

(2) No person riding a bicycle any street or public place shall carry any other person in any manner whatsoever on the same bicycle and no person shall ride or cause or suffer himself to be carried on a bicycle on any street or public place except on the ordinary saddle of such machine;

Provided that a child of ten years or under may be carried on a bicycle.

(3) No driver of a motor cycle not having a side car attached or a pillion seat, shall carry any passenger thereon.

12. No moving machinery such as bull dozer, graders, scrapers, tractors etc., whether wheeled or tracked shall be brought into the Cantonment without the previous written permission of the Cantonment Board.

Provided this restriction shall not apply in the case of Military equipment.

13. No person using any other vehicle except a motor or motor cycle shall use rubber bull horn and hooters of any description whatever.

14. **Penalty.**—Any contravention of the provisions of these bye-laws shall be punishable with fine which may extend to fifty rupees and, in the case of a continuing contravention, with an additional fine which may extend to five rupees for every day during which such contravention continues after conviction for the first such contravention.

**S.R.O. 310.**—The following bye-laws for regulating the registration and classification of contractors to carry out Cantonment works in the Jullundur Cantonment, made by the Cantonment Board, Jullundur, in exercise of the powers conferred by clause (39) of section 282 of the Cantonments Act, 1924 (II of 1924), are published for general information, the same having been previously published, and having been approved and confirmed by the Central Government, as required by sub-section (1) of section 284 of the said Act, namely:—

#### BYE-LAWS

1. No person shall be registered and licensed as a contractor of the Cantonment Board unless—

- (i) the Executive Officer, has with the approval of the Cantonment Board, granted to such person a licence under these bye-laws, and
- (ii) such person has deposited the amount of the security specified in bye-law 5.

2. No person shall be eligible to submit a tender in respect of a work of the Cantonment Board, unless he is registered contractor and holds a licence under bye-law 1 and his name is entered in the list of approved contractors of the Board.

3. There shall be the following two classes of contractors licenced under these bye-laws namely:

- (1) **Class A**—consisting of contractors entitled to tender for all works estimated to cost not exceeding Rs. 40,000.
- (2) **Class B**—consisting of contractors entitled to tender for all works estimated to cost not exceeding Rs. 10,000.

4. Any person desirous of being a licensed contractor of the Board may make any application in the form annexed to these bye-laws.

5. A licence fee of Rs. 10 and Rs. 5 per year shall be payable in advance by every contractor in Class A and Class B respectively.

6. Every contractor in Class A shall deposit a sum of Rs. 1,000 and every contractor in Class B shall deposit a sum of Rs. 300 as a security deposit in the Post Office Savings Bank pledged to the Executive Officer, Jullundur Cantonment. No separate earnest money shall be payable by any registered contractor at the time of submitting tenders.

#### Application for the Registration and Licensing of a Contractor

I/We \_\_\_\_\_ am/are desirous of being registered in the list of contractors for the Cantonment Board, Jullundur, to undertake the following categories of work.

(Delete those inapplicable)

- (a) Building and road works and maintenance.
- (b) Supply of fabricated goods (furniture and conservancy tools and plants)
- (c) Supply of stores (general)
- (d) Supply of building materials.
- (e) Civil Engineering (Reinforced Concrete Structural Steel Work; Water Supply; Sewage disposal and internal sanitary installation).
- (f) Electrical Engineering.

upto a value of Rs. \_\_\_\_\_ and give below a statement of my/our capabilities and resources.

#### 1. Particulars of Contractor.

Name  
Proprietors/Partners.  
Photographs.

1                      2                      3.

Address for Assessment of Income Tax.....  
Address of Business Premises.....

#### 2. Particulars of Property.

Movable

(attach Bankers Reference)

Immovable.

(attach Certificate from Deputy Commissioner/Collector or a First Class Magistrate).

#### 3. Particulars of Experience.

(i) Works Carried out.

**Note:**—(Attach a list showing clearly the name of the work, the amount, the locality and when executed).

#### 4. Particulars of Contractor's Organisation

Head Office	Tel No.
Local Office	Telegraphic address
Workshop	
Plant	
Transport	

#### 4(a) Particulars of persons holding power of Attorney

#### 4(b) Name of Bankers

4(c) Particulars of all Companies or firms or Associations of persons in which the applicant is substantially interested in his individual or fiduciary capacity

5. Particulars of Supervising Staff.

Do you supervise personally?

Name and permanent address of Agents

Qualifications

Function

Powers

6. Income Tax (An Income Tax Clearance Certificate in the proforma attached should accompany this application).

7. Relationships with Cantonment Board Registered Contractors, members and employees of the Cantonment Board, Jullundur.

Name of related firm

Nature of relationship

Particulars of his/their registration

8(a) If you are at present enlisted as a contractor of any Government Department, Local Body etc. give,—

(i) Name of formation.

(ii) Category and limit.

(iii) Locality or area for which enlisted.

(iv) Letter No. and date of enlistment.

(b) State whether after enlistment you were ever removed from the List or Debarred from tendering or Black-Listed.

9. I/We agree to notify to the officer accepting this application and registering my/our names in the Cantonment Board List of Contractors of any changes in the foregoing particulars as and when they occur and to verify and confirm these particulars annually on 1st January every year.

10. I/We understand and agree that the appropriate Cantonment Board Authority has the right as it may decide, not to issue tender form in any particular case and also to suspend, remove or black-list my/our name from the Cantonment Board List of Contractors in the event of my/our submission of non-bona-fide tenders or for technical or other delinquency in regard to which the decision of the appropriate Cantonment Board Authority shall be final and conclusive.

11. I/We certify that the above particulars are correct and that should it be found that I/We have given a false certificate, or that if I/We fail to notify the fact of my/our subsequent amalgamation with another contractors or firms, my/our name will be removed from the Cantonment Board List of Contractors and any contract that I/We may be holding at the time is liable to be rescinded.

12. I/We undertake not to employ directly or indirectly any personnel dismissed from the service of the Government and Local Bodies in my/our business.

13. I/We note that registration as Cantonment Board Contractor does not carry with it the right to tender for Cantonment Board works.

14. I/We agree to execute a contract deed in favour of the Cantonment Board, Jullundur, on a non-judicial stamp paper of proper value in accordance with the draft contract deed which we have read and understood within the prescribed time for any work for which tender has been accepted by the Cantonment Board. The cost of the deed including the stamp duty, if any, shall be borne by me/us.

Signature of Contractor,

Dated

Encls: One Proforma.

**For Cantonment Board use only**

(To be appropriately completed by the Registering Officer).

Registered as a Cantonment Board Contractor of (Category)  
with an upper financial notation of Rs.                      for work in  
Cantonment Board, Jullundur.

Signature

Designation

Date

### Income Tax Clearance Certificate

(i) Name and style (of the company, firm HUF or individual) in which the applicant is assessed for assessable to income tax, and address for the purposes of assessment.

(ii) Name and address of all companies, firms or association of persons in which the applicant is substantially interested in his individual or fiduciary capacity.

(iii) The Income Tax Circle/Ward/District in which the applicant is assessed to Income Tax and the General Income Tax Register No.

(iv) The following particulars are to be furnished concerning the Income Tax assessments for the preceding four years.

(a) The total contract amount received during the preceding four accounting years (give date of the closing day of the year) being previous years of—

(b)	Year	Total Income Assessed	Tax demanded	Tax paid	Balance due
	1	2	3	4	5

**Note 1.**—Tax in Clause 3 and 4 should include all items viz. Income Tax Sales Tax, Sur-charge, Excess Profit Tax and Business Profit Tax.

2. If any tax remains unpaid the reason should be explained in an attached statement.

(c) In case there has been no Income Tax assessment in any year, whether returns have been submitted under Section 22(1) or 22(2) or tax has been paid in advance under Section 18 A(3) of the Act and if so the amount of income returned for each year and tax for each of the four years mentioned above and the Income Tax Circle/Ward/District concerned where such returns have been filed, give reasons for the same.

(d) Whether any attachment or certificate proceedings pending in respect of the arrears.

(e) The name and address of branches if any.

I declare that the above information is correct and complete to the best of my information and belief.

Signature of the Contractor

Registered No.

Address

Dated

In my opinion the assessee mentioned above has been doing every thing possible to pay the tax demands promptly and regularly and to facilitate the completion of the pending proceedings. above has not been doing

This certificate is valid for one year from the date of issue.

Date

Signature of Income Tax Officer

Seal

Circle/Ward/District.

**Note:**—The applicant will have to file two copies of the Income tax clearance certificate before the Income-tax officer, one of which will be completed in full and the other omitting items iv(a) to (e). The latter will be the copy which will be returned to the assessee duly verified by the Income Tax Officer to be filed before the authority concerned.

**S.R.O. 311.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (II of 1924) the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board Bareilly, by reason of the acceptance by the Central Government of the resignation of Capt. Malkit Singh,

[No. 19/11/G/L&C/55/D(C&L)]

**S.R.O. 312.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board Ramgarh, by reason of the acceptance by the Central Government of the resignation of Capt. A. N. Amar.

[No. 19/5/G/L&C/54/D(C&L)]

**S.R.O. 313.**—In pursuance of sub-section (7) of Section 13 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify the nomination of Capt. Bhagwan Singh as a member of the Cantonment Board Ramgarh, vice Capt. A. N. Amar resigned.

[19/5/G/L & C/52/D(C&L)].

**S.R.O. 314.**—In pursuance of sub-section (7) of Section 13 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board Banaras by reason of the acceptance by the Central Government of the resignation of Shri Rajendra Coomar, Magistrate, 1st Class.

[No. 19/5/G/L & C/52/D(C&L)].

**S.R.O. 315.**—In pursuance of sub-section (7) of Section 13 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify that Shri G. P. Srivastava, Magistrate 1st Class has been nominated as a member of the Cantonment Board Banaras by the District Magistrate Banaras, in exercise of the powers conferred under section 13(4)(b) *ibid* vice Shri Rajendra Coomar, Magistrate 1st Class resigned.

[No. 19/5/G/L & C/52/D(C&L)].

**S.R.O. 316.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board Ahmednagar, by reason of the acceptance by the Central Government of the resignation of Lt.-Col. Kamla Nand.

[No. 19/8/G/L&C/55/D(C&L)].

**S.R.O. 317.**—In pursuance of sub-section (7) of Section 13 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify the nomination of Lt.-Col. B. N. Kak, as a member of the Cantonment Board, Ahmednagar, vice Lt.-Col. Kamla Nand resigned.

[No. 19/8/G/L&C/55/D(C&L)].

**S.R.O. 318.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify that vacancies have occurred in the Cantonment Board Ferozepore, by reason of the acceptance by the Central Government of the resignations of Capt. H. S. Sandhu and Maj. C. P. M. Nayar.

[No. 19/4/G/L&C/55/D(C&L)].

**S.R.O. 319.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify the nominations of Capt. M. Ganguly, and Lt.-Col. Sultan Singh as members of the Cantonment Board Ferozepore, vice Capt. H. S. Sandhu, and Maj. C. P. M. Nayar resigned.

[No. 19/4/G/L&C/55/D(C&L)].

**S.R.O. 320.**—**Corrigendum.**—In Min. of Def. Notfn. SRO 249, dated the 25th June, 1955, for "Shri Baljit Singh" read "Shri Ranjit Singh".

[No. 19/II/G/L&C/55/D(C&L)].

S. D. CHATTERJEE, Under Secy.

